IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY THIRD DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE B. SUDERSHAN REDDY

and
THE HON'BLE MR JUSTICE C.V.RAMULU

WRIT PETITION Nos :2239, 2240 and 2241 of 2005

WRIT PETITION No.2239 of 2005

Between:

M/s. 100 Dollars Bar & Restaurant, Rep. by its Proprietor
S. Satpal Singh Situated at 3-3-4(2nd & 3rd Floors)
S.S. Complex, R.P. Road, Secunderabad.

..... PETITIONER

AND

1 The Commissioner of Police, Twin Cities of Hyderabad, Basheerbagh, Hyderabad.
2 The Commissioner of Prohibition and Excise, Andhra Pradesh, Hyderabad.
3 The Deputy Commissioner of Police, North Zone, Hyderabad.
4 The Assistant Commissioner of Police, Ramgopalpet Division, Hyderabad.

..RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an appropriate Writ, order or direction more particularly one in

the nature of Writ of Mandamus declaring the action of the respondents in preventing the petitioner form running the Bar & Restaurant and providing entertainment with singers both male and female with Orchestra as arbitrary, illegal and further direct the respondents to evaluate a procedure by which some responsible citizens accompany the Police when they conduct raids so as to prevent abuse of the authority by the respondent and to enable the petitioner to carry on its business in accordance with law.

Counsel for the Petitioner:MR.C.V.MOHAN REDDY

Counsel for the Respondents : GP FOR HOME

WRIT PETITION NO : 2240 of 2005

Between:

Blue Saphire Bar & Restaurant, rep. by Sri G.Chandrasekar,
Proprietor, Situated at 7-1-621/289, Sanjeeva Reddy, Nagar Cross Roads,
Hyderabad-38.

..... PETITIONER

AND

1 The Commissioner of Police, Twin Cities of Hyderabad,
Basheerbagh, Hyderabad.
2 The Commissioner of Prohibition and Excise, A.P.,
Hyderabad.
3 The Deputy Commissioner of Police, West Zone,
Hyderabad.
4 The Assistant Commissioner of Police, Punjagutta,
Hyderabad.

..RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an appropriate writ, order or direction more particularly one in the nature of writ of Mandamus declaring the action of the respondents in preventing the petitioner from running the Bar & Restaurant and providing entertainment with singers both male and female with Orchestra and arbitrary, illegal and further direct the respondents to evaluate a procedure by which some responsible citizens accompany the Police when they conduct raids so as to prevent abuse of the authority by the respondent and to enable the petitioner to carry on its business in accordance with law.

Counsel for the Petitioner: MR.C.V.MOHAN REDDY

Counsel for the Respondents : GP FOR HOME

WRIT PETITION NO : 2241 of 2005

Between:

New Anupama Bar and Restaurant, Rep. by its Managing Partner, Sri A. Nageswara Rao, situated at 10-2-289/4, Masab Tank, A.C. Guards, Hyderabad.

..... PETITIONER

AND

1 The Commissioner of Police, Twin Cities of Hyderabad, Basheerbagh,Hyderabad.
2 The Commissioner of Prohibition and Excise, A.P., Hyderabad.
3 The Deputy Commissioner of Police, Central Zone, Hyderabad.
4 The Assistant Commissioner of Police, Saifabad, Hyderabad.

..RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an appropriate writ, order or direction more particularly one in the nature of writ of Mandamus declaring the action of the respondents in preventing the petitioner from running the Bar and Restaurant and providing entertainment with singers both male and female with orchestra as arbitrary, illegal and further direct the respondents to evaluate a procedure by which some responsible citizens accompany the Police when they conduct raids so as to prevent abuse of the authority by the respondent and to enable the petitioner to carry on its business in accordance with law.

Counsel for the Petitioner:MR.C.V.MOHAN REDDY

Counsel for the Respondents : GP FOR HOME

The Court made the following :

COMMON ORDER: (Per BRSR,J)

It is brought to our notice by the learned Government Pleader for Home that the applications filed by the petitioners seeking renewal of their licences had been rejected by the Commissioner of Police, Hyderabad.

In such view of the matter, cause in these writ petitions, does not survive requiring any further adjudication. The petitioners shall be entitled to challenge the orders, stated to have been passed by the Commissioner of Police, on such grounds, as may be available to them in law, including the grounds of the

present writ petitions. The matters shall have to be considered on its own merits uninfluenced by the dismissal of these writ petitions.

The writ petitions are accordingly dismissed without any order as to costs.

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B. SUDERSHAN REDDY, J.

Date:23.02.2005

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C.V. RAMULU, J.

GS/PV

To

1 The Commissioner of Police, Twin Cities of Hyderabad, Basheerbagh, Hyderabad.

2 The Commissioner of Prohibition and Excise, Andhra Pradesh, Hyderabad.

3 The Deputy Commissioner of Police, West Zone, Hyderabad.

4 The Deputy Commissioner of Police, North Zone, Hyderabad.

5 The Deputy Commissioner of Police, Central Zone, Hyderabad.

6 The Assistant Commissioner of Police, Ramgopalpet Division, Hyderabad.

7 The Assistant Commissioner of Police, Punjagutta, Hyderabad.

8 The Assistant Commissioner of Police, Saifabad, Hyderabad.

9. Two C.Cs to the Government Pleader for Home, High Court of A.P., Hyderabad (OUT)

10. Two C.D. Copies.